

FCC MAIL SECTION

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Telephone Number Portability)
) CC Docket No. 95-116
Expedited Petition for Rulemaking to Rescind the)
CMRS LNP Rule) RM No. 10792

ORDER**Adopted: March 17, 2004****Released: March 17, 2004**

By the Chief, Spectrum and Competition Policy Division:

1. On June 16, 2003, the Cellular Telecommunications & Internet Association (CTIA), Cingular Wireless, LLC (Cingular), AT&T Wireless Services, Inc. (AT&T Wireless), and ALLTEL Communications, Inc. (ALLTEL) filed a petition for rulemaking to rescind the rule requiring commercial mobile radio service (CMRS) providers to provide local number portability (LNP).¹

2. On February 11, 2004, CTIA, AT&T Wireless, and ALLTEL filed a letter requesting that their names be withdrawn from the petition.² Thereafter, on February 20, 2004, Cingular filed a letter indicating that it no longer wishes to pursue the petition at this time. Cingular requests that the petition be withdrawn, without prejudice.³

3. We grant the parties' request to withdraw the petition. Accordingly, IT IS ORDERED THAT, pursuant to sections 4(i) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§

¹ 47 C.F.R. § 52.31. See Telephone Number Portability, CC Docket No. 95-116, Expedited Petition for Rulemaking to Rescind the CMRS LNP Rule from the Cellular Telecommunications & Industry Association (CTIA), Cingular Wireless, LLC (Cingular), AT&T Wireless Services, Inc. (AT&T Wireless), and ALLTEL Communications Inc. (ALLTEL) (filed June 16, 2003).

² Letter from Michael F. Altschul, Senior Vice President & General Counsel, CTIA, Glenn S. Rabin, Vice President-Federal Regulatory Affairs, ALLTEL, and Douglas I. Brandon, Vice President, AT&T Wireless to Marlene H. Dortch, Secretary, FCC, CC Docket No. 95-116 (filed Feb. 11, 2004).

³ Letter from J.R. Carbonell, Carol L. Tracker, and David G. Richards, Cingular Wireless, CC Docket No. 95-116 (filed Feb. 20, 2004).

154(i) and 155(c), and the authority delegated pursuant to sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, the above-captioned petition IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "William W. Kunze". The signature is fluid and cursive, with the first and last names being more prominent.

William Kunze
Chief, Spectrum and Competition Policy Division
Wireless Telecommunications Bureau